

**ANDOVER BOARD OF HEALTH**  
**Minutes**  
**February 4, 2008, 6 P.M.**  
**1st Floor Conference Room**  
**36 Bartlet Street**

The Board of Health meeting was called to order at 6:01 p.m. Present were Ms. Candace B. Martin, Chairman, Ms. Margaret N. Kruse, Clerk, and Mr. Thomas G. Carbone, Director of Public Health. Dr. Donald H. Miller, Vice-Chairman, was not present due to a scheduling conflict.

**I. Approval of Minutes**

- **January 7, 2008**

Motion by Ms. Kruse, seconded by Ms. Martin to approve the Minutes of the Meeting of January 7, 2008 with the following corrections:

- On page 2, in the second paragraph, second sentence, change "look into a register" to "look into purchasing a register" and "date" to "birthdate"
- On page 2, in the second paragraph, last sentence, change "constrictive" to "inconvenient"
- On page 2, in the forth paragraph, after "ID anyone 30 years or age or younger" add "regardless of whether they are frequent customers or not."

Unanimous approval.

**II. Appointments & Hearings**

- **6:00 p.m. - Bill Dufresne for 55 Haggetts Pond Road, Variance to Title V for an existing dwelling to allow a septic tank and pump chamber less than 400' from Haggetts Pond and a leach field less than 100' to a wetland –** Bill Dufresne, Engineer, was present. Mr. Dufresne explained that the current system is located in the back yard of the property and that the tanks need to remain there. The leach field would be moved to the front of the property which would bring it further from the pond behind the property. There are no records showing what the original system was designed for, but Mr. Dufresne stated that the system that is there now is comparable for a three bedroom house. In order to upgrade the failed system, and due to the location of the Pond and the wetlands, the following three variances and one LUA would be required:
  - 1. Allow a septic tank and pump chamber to be 310' from a surface reservoir where 400' is required.
  - 2. Allow a soil absorption system to be 90' from a wetland bordering a surface water supply were 100' is required.

3. Allow a septic tank and pump chamber to be 35' from a wetland bordering a surface water supply where 100' is required
4. Allow a leaching facility to be 6' from the front lot line where 10' is required (LUA).

Mr. Dufresne explained that he received approval from the Conservation Commission last Tuesday when Linda Cleary, Conservation Commission Agent, came out for a site visit. Jack Petkus, Director of Public Works commented via e-mail that he would prohibit additional flow by prohibiting any additional bedrooms or conversion to bedrooms, as well as limiting the addition of any new plumbing fixtures. The Board was satisfied with the conditions laid out in a letter from Mr. Carbone dated January 28, 2008, with the addition to condition number two to include "bedrooms".

Motion by Ms. Kruse, seconded by Ms. Martin to approve the requested variances and LUA to upgrade the failed system, subject to the following conditions:

1. Wastewater flows shall be limited to 330 gallons of water per day.
2. There shall be no addition of habitable space to the dwelling, including but not limited to sunrooms, family rooms, dens, offices, media rooms, libraries, and bedrooms.
3. Water saving devices shall be installed on plumbing fixtures.
4. Garbage grinders are prohibited.
5. The applicant shall file the variance request with the Massachusetts Department of Environmental Protection and show proof of approval.
6. Notice of the variance approval and its conditions shall be filed with the Registry of Deeds to run with the property. Proof of filing shall be provided to the Health Division prior to the issuance of a Disposal Works Installation Permit.

Unanimous Approval.

### **III. Discussion**

- **Update of Camp Regulations** – Mr. Carbone explained to the Board that after last year's camp season, the staff met and discussed changes they would like to make to the local Camp Regulations. The major change is a proposal to require proof of Chicken Pox immunization in order to protect the camp staff from exposure to the disease. If a child had no proof of Chicken Pox vaccination, then the child would be prohibited from attending the camp. The reason Chicken Pox was picked over other childhood diseases was because Chicken Pox has a readily available vaccine and is preventable, while other childhood diseases are less likely to occur. This provision would require the at risk camp staff to be excluded from work during the incubation period. Mr. Carbone sent the revisions to Town Counsel and expected to have the revised regulations ready for approval at the next Board of Health Meeting in March.

- **Merrimack Valley Region Natural Hazards Pre-Disaster Mitigation Plan (Copy of Plan in Back of Booklet)** – Mr. Carbone explained that he had hoped to have the plan adopted at the Board of Selectmen Meeting this evening, but Buzz Stapcynski, Town Manager, wanted to wait at this time. One section of the plan was not received well by the Balmoral and Washington Park Condominium Associations. Mr. Stapcynski and Mr. Carbone will try to meet next week with the Condo Associations. Mr. Carbone did not feel that the Condo Associations felt they were being singled out, just that they did not want to be held financially responsible. Ms. Martin asked about the section stating the need to develop a long term study of the flood plain in Washington Park and ways to prevent repetitive flood losses. Mr. Carbone stated that Washington Park had already started working on that, and the Town should not be investing limited funds for that one area. Mr. Carbone stressed that the plan is still in draft form. The Board discussed the new backflow prevention requirement on all new sewer connections that will be implemented in the new sewer regulations, the flooding impact with the Lowell Regional Wastewater Facility that resulted from the May, 2006 Mother's Day flood, and how the Town of Andover had pump the excess water into the river during that time. Ms. Martin asked what the next step in the process will be. Mr. Carbone stated that Town staff hoped to meet with the Condo Associations next week on the 13<sup>th</sup> of February, and was hoping to get Board of Selectmen approval by the last Monday in February. Mr. Carbone explained there will be a regional response built into the plan and that is why the MVPC is taking the lead. There would be an economy of scale and the mapping could become region wide. While each Town has its own mitigation plan, there are larger issues that have to happen over the region.
- **Goal / Priority Setting** – Mr. Carbone provided the Board with his six-month workplan for the last half of 2007 and a spreadsheet showing his goals for the upcoming year. The Shingles Zostavax Clinics are being finished up, and Ms. Martel, Assistant Health Director and Public Health Nurse, is always looking into setting up new programs. Ms. Martin had asked for more initiatives that the Board could be informed of, such as risk-based inspection of Food Establishments and any plans that would go beyond the normal day-to-day functions. Mr. Carbone explained that as of this time there is nothing planned. He is, however, ready to proceed with the schools' participation in projects and several High School students have expressed interest in participating. Mr. Carbone hopes to get the risk-based project done sometime this year. In the Fall, Mr. Carbone plans to revise the Semi-Public Pool Regulations to update them as well, including a requirement for the installation of an emergency phone system, and mandatory water quality analysis for the pools that are open year round.

Mr. Carbone reminded the Board that the Emergency Preparedness Plan has been around for a long time and was shared with the Board last year. This is a Board of Health project and does not involve the other departments in Town. Other departments are working on their own plans. Emergency Management has put together a comprehensive emergency management plan (CEMP) which has its roots

in the 1970's civil defense plans. Another mandate came from MEMA to update this plan, but no copy has been received from the Police Department yet. The Continuity of Operations Plan (COOP), however, was generated in the past for the Health Division, and now is now in the process of being collected townwide, but not all Departments and Divisions have completed them yet. Mr. Carbone explained that the work plan listed things that are to be worked on this year, and that several items would be worked on at a later date.

- **Public Health Week (Not on Agenda)** – Mr. Carbone informed the Board that the staff has started preparing for Public Health Week and was planning on having an informational display set up in the second floor lobby and lectures as they have in the past. Some of the topics being considered are cancers, a men's forum, and lung cancer in women.
- **Lawn Care Class (in Correspondence)** – Ms. Kruse asked Mr. Carbone if Randy Pickersgill, Superintendant of Parks and Grounds for the Town of Andover, was teaching this class under the Town of Andover name since he is an employee of the Town. Mr. Carbone explained that the class is taught out of the DSC Department with the Town of Andover. Ms. Kruse pulled the Town's policy on pesticide use and found that the use of pesticides on public and private property is discouraged because of health concerns. Ms. Kruse would like to suggest that Mr. Pickersgill at least mention in his class that the Town of Andover has a policy that discourages the use of pesticides and that pesticides have been linked to health problems instead of just ignoring the subject. Ms. Kruse would like to suggest Mr. Pickersgill direct his pupils to some websites they can visit to get further information. Mr. Carbone stated that he would speak with Mr. Pickersgill to see what he could do to get that information included into the class per the Board's concerns.

#### IV. Old Business

- **17 North Street, Lift of Condemnation Letter (In Correspondence)** – Mr. Carbone informed the Board that he has lifted the condemnation ORDER. Mr. Carbone was called out by the Fire Department and occupants were given medical care. The house was very dirty because they had both been very sick. The daughter has hired someone to come in and clean the house so she can put the house up for sale.
- **Andover Country Club Renovations** - Mr. Carbone informed the Board that the Andover Country Club was still planning on replacing the hood, but that the work has not been done yet. They are currently working with several departments on replacing the hood.

#### V. Subdivision Definitive Plans

- N/A

**VI. Plan Review**

**A. D.W.R.P. Variances/Local Upgrade Approval:**

- N/A

**B. B.S.I.P. – Ratify:**

Ms. Martin moved to ratify, seconded by Ms. Kruse. The Board voted unanimously to ratify the following BSIP's:

4	Donna Road	TM	102	TL	23
422	South Main Street	TM	63	TL	2
8	Sugarbush Lane	TM	191	TL	21 –Pending Cons Com Approval

Unanimous Approval

**C. S.S.A.P – Recommend Approval:**

- N/A

**D. S.S.U.P.– Recommend Approval:**

Ms. Martin moved to approve, seconded by Ms. Kruse. The Board voted unanimously to approve the following SSUP's:

1	Ivana Drive	TM	86	TL	20
7	Ivana Drive	TM	86	TL	20
15	Ivana Drive	TM	86	TL	20
21	Ivana Drive	TM	86	TL	20

Unanimous Approval

**E. B.S.R.P. – Recommend Approval:**

- N/A

**VII. Staff Reports**

**A. Director's Report:**

- **Important Dates:**

- February 12<sup>th</sup> @ 7 p.m. – Fish Brook Watershed Advisory Committee –This Meeting was rescheduled to 2/26/08.
  - February 21st @ 8 a.m. – DEP Seminar-All day sessions in Wilmington
  - February 29th @ 10 a.m. – Discussion on Regionalization of Health Department Services - Marlboro
  - March 4th – MHOA Legislative Breakfast @ Statehouse
  - March 10th @ 6 p.m. – BOH Meeting
  - March 11th @ 7 p.m. – Fish Brook Watershed Advisory Committee – Since the 2/12/08 meeting was re-scheduled to 2/26/08, the March 11<sup>th</sup> meeting may be rescheduled also.
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- **Indian Ridge Country Club (Not on Agenda)** – Mr. Carbone explained that the Country Club has permission to look at installing the interior automatic grease traps that will save them money, but the Town reserves the right to have them come up with an alternative if the interior grease traps do not work as expected.
  - **Dundee Park Sewerage Backup into Building at 70-84 Essex Street (In Correspondence)**- Ms. Martin asked Mr. Carbone if he had an update. He said that one of the three properties that the Town has listed as 0 Essex Street called saying that they were on Railroad Street, so Mr. Carbone was going to look into that. He has not heard from any of the other properties yet, but they were given a week from receipt of the letter to respond, and the letter was mailed out on January 29, 2008.
  - **Fish Brook Watershed Advisory Board Minutes (Not on Agenda)** – When Ms. Martin was reviewing the minutes and saw that one of their goals was to monitor the capping of the landfill and building of the athletic fields, she asked Mr. Carbone if the Board of Health should be more concerned about the project. Mr. Carbone replied that the Fish Brook Watershed Advisory Board felt that the DPW was the responsible party for the capping, but wanted to advocate for the proper capping because of the watershed. One of the members of the Fish Brook Watershed Advisory Board, Dave Adilman, was very involved and made recommendations to CDM; as a result, they altered some of their testing.

Ms. Martin asked what the reason for the capping was because originally the fields were being prepared for sports usage, but the area is no longer going to be used for that purpose. Mr. Carbone explained that the capping was being done to keep the leachate contained. By stopping rain water from trickling through the trash, you limit the escape of contaminants. One of the contaminants of concern is arsenic. Arsenic is not highly mobile, but if re-suspended, can travel into the water. Naturally occurring arsenic is also high in this area and is associated with iron that you can see in the water when the spring ground water bubbles up. Mr. Carbone believes the current plan is to cap the perimeter, then cap half the field, with the intention of eventually capping the whole site. They are also dumping street sweepings to level and grade the site, and that dumping will not continue after the capping is complete. Ms. Martin stated that she wanted to review the CDM report, and Mr. Carbone will send her the compact disks for her review.

**B. Nurses' Report for January, 2008** – The Nurses' Report for January will be on the March 2008 Agenda

**C. Inspectors' Reports for December, 2007** – The Inspectors' Reports for January will be on the March 2008 Agenda

**VIII. Board Member Reports :**

- N/A

**IX. Adjournment**

Motion by Ms. Martin, seconded by Ms. Kruse, to adjourn at 7:20 p.m. Unanimous approval.